

**TOWN OF DUNE ACRES
COUNCIL MINUTES
for June 21, 2005**

The Town of Dune Acres Town Council met for its regular monthly meeting on Tuesday, June 21, 2005, at the Dune Acres Clubhouse.

Town Council President Louise Roberts called the meeting to order at 7:00 p.m. with Councilpersons Benjamin Bolton and John Wilhelm, Town Attorney Dan Whitten and Town Clerk-Treasurer Anne Hiestand in attendance.

Council President Louise Roberts opened the meeting with the Pledge of Allegiance.

APPROVAL OF MINUTES: Councilperson Benjamin Bolton made a motion to approve the minutes of the May 17, 2005 meeting as presented. Councilperson John Wilhelm seconded the motion and it was unanimously approved.

FINANCIAL REPORT FOR the TOWN OF DUNE ACRES AS OF MAY 31, 2005:

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|---|---------------------|
| City Savings CD 1 | \$5,227.15 |
| City Savings CD 2 | \$3,475.99 |
| Bank One Checking Account (changed to High Balance Savings) | \$182,841.23 |
| First State Bank of Porter Checking Account | <u>\$268,504.78</u> |
| | \$460,049.15 |

Clerk-Treasurer Anne Hiestand explained a change in the format of the financial report for future meetings that would report the Town's financial conditions by Fund balances rather than individual bank accounts. The change will be consistent with the new software program recently installed. Upon motion by Councilperson John Wilhelm seconded by Councilperson Benjamin Bolton, the Financial Report was unanimously approved for attachment to the Minutes of this meeting.

PAYMENT OF CLAIMS: The Clerk-Treasurer explained the transition in the presentation of claims necessitated by the Town's new computer program and demonstrated the differences in format. Upon motion by Councilperson John Wilhelm seconded by Councilperson Benjamin Bolton the Claims were unanimously approved as presented and ordered attached to the Minutes of this meeting.

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| NIPSCO | Balance due for May Service | \$34.03 |
| Andrew W. Belsha | June Payroll | \$648.27 |
| Atha W. Belsha | June Payroll | \$1,208.86 |
| Anne Hiestand | June Payroll | \$378.50 |

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| David W. Kristophel | June Payroll | \$647.85 |
| Philip A. Lepley | June Payroll | \$1,206.05 |
| Gregory J. Livovich | June Payroll | \$671.78 |
| Nick Markovich | June Payroll | \$958.15 |
| Terry R. Trout | June Payroll | \$519.02 |
| Garrett L. Tyrrell | June Payroll | \$957.36 |
| Sandra O'Brien | June Payroll | \$379.63 |
| Anne Hiestand | Overnight Mail to Scott Nally | \$11.77 |
| Raymond C. Friday | June Payroll | \$483.59 |
| First State Bank of Porter | Payroll Liability Check | \$2,161.26 |
| Indiana Dept. of Revenue | Payroll Liability Check | \$369.91 |
| John Wilhelm | Reimburse 2nd day air cost | \$7.12 |
| John Wilhelm | Stakes for erosion control | \$135.50 |
| Anne Hiestand | Reimburse Staples charge for binders, battery backup | \$170.50 |
| Lake & Porter County Asphalt Co. | Complete Oak Drive Water Proj | \$13,259.75 |
| Atha W. Belsha | Vacation Pay | \$589.43 |
| Raymond C. Friday | Vacation Pay | \$121.42 |
| David W. Kristophel | Vacation Pay | \$148.87 |
| Philip A. Lepley | Vacation Pay | \$580.90 |
| Nick Markovich | Vacation Pay | \$845.96 |
| Terry R. Trout | Vacation Pay | \$508.27 |
| Garrett L. Tyrrell | Vacation Pay | \$430.04 |
| First State Bank of Porter | Payroll Liability Check | \$820.56 |
| Indiana Dept. of Revenue | Payroll Liability Check | \$138.34 |
| Datagraphics | Vehicle Stickers | \$530.00 |
| Datagraphics | Ordinance Books | \$12.88 |
| Lake & Porter County Asphalt Co. | Paving | \$5,078.50 |
| Lake & Porter County Asphalt Co. | Paving | \$8,000.00 |
| Atty. Dan Whitten | Quarterly Retainer | \$1,250.00 |
| Atty. Dan Whitten | Ordinance Review | \$650.00 |
| Municipal Code Corp. | Ordinance Review | \$1,875.00 |
| Able Disposal | Monthly Service | \$26.52 |
| LaCorte Heating & Ac | Electricity for Lift pump | \$925.00 |
| Verizon North | Monthly Service | \$136.82 |
| Advanced Drainage | Porta Potty one month | \$100.00 |
| Anne Hiestand | Reimburse Stamps | \$37.00 |
| Pinkerton Fuels & Lubricants | Gasoline for Vehicles | \$166.44 |
| Richardson Wildlife Sanctuary, Inc. | Erosion Control blankets | \$660.00 |
| Kramer & Leonard Office Products | Hanging folders and frames | \$50.90 |
| Louise Roberts | Reimburse Volunteer Party | \$61.57 |
| NIPSCO | Gas & electric | \$240.07 |
| Raymond C. Friday | Use of truck in May | \$66.36 |
| T.D. Tree Service | Remove trees in park & town hall | \$9,000.00 |
| A & M Lawn & Garden | Tractor rental | \$915.00 |
| Town of Porter | Balance due for 2005 Contract | \$6,037.50 |
| Chesterton Feed & Garden Center | Plantings at Clubhouse | \$280.95 |
| Bank One Credit Card | Symantec Virus Protection | \$39.95 |

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| Bank One Credit Card | Town & Country, K-Mart | \$53.81 |
| Bank One Credit Card | Lowe's, Home Depot, Lowe's | \$77.10 |
| Bank One Credit Card | Tennis courts supplies | \$37.09 |
| Cathy Bomberger | Reimburse payment to helper with plantings | \$35.00 |
| Nextel | Monthly Service | \$64.74 |
| | TOTAL | \$64,800.89 |

CORRESPONDENCE: No correspondence was presented.

COMMISSION REPORTS:

FIRE: Fire Commissioner Mark Hull was absent and no report was made.

MUNICIPAL CODE: Councilperson John Wilhelm explained that meetings were proceeding to provide input for the revised Town Code and that the Plan Commission was meeting weekly, first working on Building Regulations and then starting the Zoning portion of the new Code. The expectation is that the new Town Code will be completed by the end of the year. Attorney Whitten reminded the Council that the Municipal Code Corporation was to be providing the necessary photocopies at their expense.

ROADS: Road Commissioner Irv Call stated that he is working on a budget for the balance of the road work to be completed this year.

TOWN ENGINEER: Town Engineer Irv Call reported that the flashing had leaked at the Clubhouse near the water heater on June 7th. He plans to secure the plastic covers on the new septic tank and distribution box with stainless fasteners to keep them in place. He is attempting to locate the high-level alarm for the septic tank that needs to be installed in the Clubhouse. More work remains to be done on the pumps to drive the new sprinkler system so that they will start automatically. He is planning to schedule a software fix so that he can complete testing the system. The pumps will need to be checked daily by the Security Officers. Town resident Heidi Sullivan has agreed to provide assistance in the event of an outage and Engineer Call is looking for some other residents to provide assistance and backup.

PARKS: Commissioner Kellie Klein reported that the skating rink cover has been folded and that the windscreens had been installed on the tennis court and weed spray had been ordered for the tennis court area. A second Port-a-Potty is installed at East Beach for the Fourth of July weekend. Several persons had been strongly opposed to the installation of a Port-a-Potty at Ridge Beach, so that had been abandoned. It was reported that there seemed to be extra garbage cans at both the East and Ridge Beaches and the consensus was to contact Able Disposal after the Fourth of July weekend to make sure there were just two at the East Beach and one at the Ridge Beach.

Maintenance Employee Ray Friday is scheduled to repair the water fountain in the park. Town Engineer Irv Call provided a diagram for rebuilding the large merry-go-round which would involve approximately \$374.82 in new parts. Engineer Call, Todd Klein and John Sullivan have agreed to work on rebuilding the merry-go-round in a circular rather than angled pattern and to be sure the bolts are recessed. Maintenance Commissioner Bill

Griffin state there are several websites concerning safe construction of playground equipment including one maintained by the Consumer Products Safety Commission. Commissioner Griffin expressed concern about potential liability if the merry-go-round does not conform to current standards. Councilperson John Wilhelm moved and Councilman Benjamin Bolton seconded a motion which was unanimously passed to accept the proposal to repair the merry-go-round.

A discussion ensued as to the tree stump left standing in the park and the consensus was that a representative of the park would contact Robert Depner, who lives in north La Porte County near the Michigan border, to inquire as to the cost of turning the stump into a sculpture. John Wilhelm agreed to provide the contact information for Mr. Depner.

Todd Klein inquired as to what appeared to be a shortage of buoys to delineate the swimming area between the East and West Beaches. The Clerk-Treasurer explained that the Mickelsons of 74 West Road had previously paid to purchase buoys and to install them at the west end of Town. Kellie Klein added that Rob Carsons said that three of last year's buoys were too rotten to reinstall.

MAINTENANCE: Maintenance Commissioner Bill Griffin reported the washout of the top of the Ridge Beach stairway problems seemed to be the volume of water exiting Ridge Drive at that location. It was his feeling that provisions need to be made for a drain to channel the water down the hill and to move the walkway east to higher ground. It was agreed that Great Lakes Engineering would be contacted to review the situation and offer suggestions.

Two large rotten trees were removed at the Security building. Council President Louise Roberts reported the insurance adjustor was happy that the Town had acted to remove the two trees that had fallen onto the Town Hall building to prevent further damage. Councilperson John Wilhelm thanked Bill Griffin for his leadership during the storm emergency at the Town Hall.

Council President Louise Roberts indicated that the Town was looking for proposals to do roadside mowing.

POLICE: Security Police Commissioner Cecilia Call reviewed the Beach Pass forms for party, weekend, and day beach passes. She suggested that there be a sign-up sheet for the use of Town vehicles at the Security Office. Clerk-Treasurer Anne Hiestand suggested that the driver's licenses for all drivers of Town vehicle needed to be copied and placed in the Town's insurance files.

Commissioner Call relayed some of the concerns of Clubhouse Coordinator Cathy Bomberger regarding the handling of Clubhouse keys. Specifically, she wants the person who checks out the keys to be the person who brings back the keys. It was suggested that perhaps a driver's license could be left at the Security Office while the keys were checked out.

The reinstallation of the signs notifying people that they will be towed away for parking illegally at the Town beaches was discussed. The Clerk-Treasurer stated the towing is a

deterrent but that parking tickets and fines are not as it is difficult to track down offenders after the incident. Commissioner Call desired to know when the Town Maintenance Employee Ray Friday was in Town and available. Maintenance Commissioner Bill Griffin suggested that she fax any request for maintenance items to the fax machine at the Maintenance Building which is the manner in which Griffin relays information to Mr. Friday.

ENVIRONMENT: Environmental Commissioner Susan Smith demonstrated what a “hug” scarf sent to the troops in Iraq looks like before dipped in water. She reported that the grant process is almost completed and that she had been sending maps supporting the Town’s efforts. She plans to take the grant money in a lump sum electronically. There is an in-kind matching requirement in hours and the Town will need to demonstrate two thousand hours of effort.

There will be a hazardous household waste drop-off at the Chesterton Middle School on July 9th.

Plans are being researched for the restoration of the Clubhouse dune and Connor Shaw is working on a landscaping plan for the Security Building to be implemented after the removal of the evergreen tree north of the building. Maintenance Commissioner Bill Griffin indicated he had inquired about moving that tree but had been informed it was too damaged to be useful.

E coli testing is starting this week. In response to an inquiry, the audience was informed that the National Lakeshore calls the Gatehouse to report any dangerous lake conditions. Dr. Noel Pavlovic will be presenting a program, “Save a Thistle, Kill a Weed. What’s It All About?” at the Clubhouse at 10:00 a.m. on Saturday, June 25th.

WATER: Councilperson Benjamin Bolton reported he had not been getting much help from Indiana American Water Company with the preparation of a bid package brochure for the Circle Drive improvements.

OLD BUSINESS:

FIREWORKS: Councilperson John Wilhelm that the Town had received a donation for its Fireworks Program on July 2nd from the Porter Beach Property Owners Association who expressed their appreciation for the display.

VEHICLE STICKERS: Town Attorney Dan Whitten read the Vehicle Sticker Ordinance 2005-1, which was moved for adoption on first reading by Councilperson John Wilhelm, seconded by Councilperson John Bolton, and unanimously carried. Councilperson John Wilhelm moved the rules be suspended for adoption of the Ordinance on second reading by title only. Councilperson Benjamin Bolton seconded the motion which was unanimously carried. Councilperson John Wilhelm moved that the Ordinance be adopted on second reading by title only. Councilperson Benjamin Bolton seconded the motion which was unanimously carried. Councilperson John Wilhelm read a letter to be sent to all residents explaining the implementation of the new Vehicle Sticker Ordinance. Applications will be sent with the letter, and when the requirements have been met residents will be able to pick

up their new stickers in envelopes at the Gatehouse. The Council explained that the Clerk-Treasurer was expecting her first grandchild during what will probably be the at the height of the implementation of the new Ordinance and asked that people be patient about waiting for the new stickers. See attached copy of Ordinance.

CLUBHOUSE RESTORATION: Councilperson John Wilhelm reported that two proposals for bid specifications for the Clubhouse Restoration have been received and he was expecting a third one from Vic Hood of Leatherwood Inc. this week.

SUMMIT DRIVE TRAIL: It was reported that Town Resident Jack McCarthy of 20 Summit Drive is working as a mediator to resolve the issues concerning access to the Summit Drive Trail which crosses the property of Town Residents Mary Elizabeth and Peter Brown of 24 Summit Drive. Results are expected in approximately six weeks.

HISTORIC LANDMARK STATUS: The Historical Commission has begun work on an application on the National Register of Historic Places for the Clubhouse.

NEW BUSINESS:

New plantings are in place at the Clubhouse as a part of reminding residents not to park on the new septic field. The committee that planted them is taking turns watering them daily.

The Council announced that it was considering a committee of four individuals to deal with issues concerning the decoration and maintenance of the interior of the Clubhouse consisting of a Council Member, someone from the Historical Commission possibly the Chairperson Mary Ann Tittle, someone from the Dune Acres Civic Improvement Foundation, and the Clubhouse Coordinator who is currently Cathy Bomberger.

WATER SALE PROCEEDS FUND: Ordinance Number 2005-2 establishing a Water Sale Proceeds Fund retroactive to July 1, 2004 was unanimously approved on first reading on a motion by Councilperson John Wilhelm seconded by Councilperson Benjamin Bolton. Councilperson Wilhelm moved to suspend the rules to adopt the Ordinance on second reading by title only, which motion was seconded by Councilperson Benjamin Bolton and unanimously carried. The Ordinance was unanimously adopted on second reading by title only on a motion by Councilperson John Wilhelm and seconded by Councilperson Benjamin Bolton. See attached Ordinance.

DAMAGE TO THE TOWN HALL: It was reported that the carpeting and the ceiling tile had been removed from the damaged Town Hall and that Orbesen Construction had brought in two fans and a dehumidifier to remove the excess moisture that resulted when nine to ten holes were punched in the roof by two trees that fell on it. Rafters and beams were cracked. The insurance company has viewed the damage. Councilperson John Wilhelm indicated that he had talked to Town Resident Anthony Belluschi of 18 Circle Drive who is an architect concerning what might be some improvements in the Town Hall such as the installation of a peaked roof over the entirety of the building and the installation of air conditioning and bathroom upgrades. Councilperson Wilhelm explained the problems with the citing of the building lower than the parking area and suggested that the Town might want to consider rebuilding or replacing the building and perhaps retaining the

current building as a maintenance and storage facility. Resident Patrice Bapst, 10 Crest Drive, stated that she thought the log cabin look would be better painted dark brown.

CLERK-TREASURER VACANCY: The Council said that regrettably the Clerk-Treasurer and her husband were moving to Chesterton and they invited interested parties to contact them concerning appointment as the Clerk-Treasurer.

JIMMY FOR SALE: Council President Louise Roberts announced that the Town was putting the former Jimmy security vehicle up for sale and that the Council would be holding a workshop to discuss issues with department heads at 7:00 p.m. on Thursday, July 7th at the Clubhouse.

There being no further business the meeting adjourned at 9:01 p.m. on a motion duly made and seconded.

Louise Roberts, Town Council President

John Wilhelm, Town Council Member

Benjamin Bolton, Town Council Member

Anne Hiestand, Clerk-Treasurer